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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/647,384	08/26/2003	Roger Johannes Maria Peeters	0142-0422P	2049
2292	7590	11/03/2005	EXAMINER	
BIRCH STEWART KOLASCH & BIRCH			MORRISON, THOMAS A	
PO BOX 747			ART UNIT	PAPER NUMBER
FALLS CHURCH, VA 22040-0747			3653	

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/647,384

Applicant(s)

PEETERS ET AL.

Examiner

Thomas A. Morrison

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 August 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 August 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>08/26/03</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Drawings

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, (1) the recited clutches of claims 7, 8 and 10; and (2) the recited control means of claims 7 and 8 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 1-10 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 1, it is unclear what is meant by the recited “**each** of said supports being detachably suspended on one of said plurality of points of suspension of said guide members and **arranged one above the other**”. (emphasis added). This appears to be inaccurate, in that Fig. 1 of the instant application appears to show supports (17, 16, 15) that are not arranged above the support (10). Also, the lower level supports (e.g., 16 or 15) are also not arranged above the other mid-level supports (e.g., 14 or 13) or the upper support (e.g., 10).

Claim 1 recites the limitation “the distance” in line 16. There is insufficient antecedent basis for this limitation in the claim.

Regarding claim 1, it is unclear what is meant by “essentially below” and “essentially above”.

Regarding claim 4, the limitation $N \geq 2$ conflicts with the previous limitation $N \geq 1$ of claim 1. Both limitations cannot be satisfied, because they conflict.

Regarding claim 6, it is unclear what is meant by the recited “associated lower guide member and the associated higher guide member is partially overlapping”.
Overlap as viewed from where?

Regarding claim 9, it is unclear what is meant by "essentially above" and "essentially below".

Regarding claim 9, it is unclear what is meant by the recited "**each** of said supports being detachably suspended on one of said plurality of points of suspension of said endless guide members and **arranged one above the other**". (emphasis added). This appears to be inaccurate, in that Fig. 1 of the instant application appears to show supports (17, 16, 15) that are not arranged above the support (10). Also, the lower level supports (e.g., 16 or 15) are also not arranged above the other mid-level supports (e.g., 14 or 13) or the upper support (e.g., 10).

Claim 10 recites the limitation "said first and second guide member" in line 2. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-3, 5-7 and 9, as best understood, are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 3,721,435 (Zanders).

Regarding claim 1, Figs. 1-3 show a sheet deposition system for depositing sheets on at least one of a plurality of supports (13 and 14) which comprises:

deposition means (including 17) for selectively depositing sheets in one sheet deposition location (below 19);

3 guide members (9, 10 and 11) for guiding the supports (13 and 14), each of the guide members (9, 10 and 11) being provided with a plurality of points of suspension (notches) for detachably suspending the supports (13 and 14) thereon, the guide members (9, 10 and 11) being vertically arranged such that each of the sheet deposition locations (near 17) has an associated lower guide member (11) positioned essentially below the sheet deposition location (below 19) and an associated higher guide member (10) positioned essentially above the sheet deposition location (below 19);

multiple supports (13 and 14), each of the supports being detachably suspended on one of the plurality of points of suspension of the guide members (9, 10 and 11) and arranged one above the other. As best understood, the supports located on the guide member 9 are arranged above the supports located on the guide member 11, which meets the claim limitations.

Also, there is drive means (column 3, lines 64-75) for driving the guide members (9, 10 and 11) so as to place one of the supports in a sheet deposition location or to alter the distance between supports.

Regarding claim 2, Figs. 1-3 show that the guide members (9, 10 and 11) are endless.

Regarding claim 3, Figs. show that the number of supports is at least 3.

Regarding 5, Figs. 1-3 show that each of the guide members (9, 10 and 11) is composed of one or more belts, or one or more chains, or one or more wires.

Regarding claim 6, Figs. 1-3 show that the associated lower guide member (11) and the associated higher guide member (10) is partially overlapping. See, e.g., overlap below numeral 8 in Fig. 3.

Regarding claim 7, column 3, lines 65-75 disclose that each of the guide members (9, 10 and 11) has an associated clutch for transmitting drive thereto, the system further comprising control means for selectively activating at least one of the clutches. In particular, each guide is associated with the disclosed clutch and the claim does not preclude a single clutch from being used.

Regarding claim 9, Figs. 1-3 show a sheet deposition system for depositing sheets on at least one of a plurality of supports (13 and 14) which comprises:

deposition means (including 17) for selectively depositing sheets in at least one sheet deposition location (below 19);

a first endless guide member (10) positioned essentially above the sheet deposition location (below 19) and a second endless guide member (11) positioned essentially below the sheet deposition location (below 19),

the first endless guide member (10) and the second endless guide member (11) partially overlapping each other (e.g., below numeral 8 in Fig. 3), the first endless guide member (10) being provided with a first plurality of points of suspension (notches) which

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are spaced equidistant at a first pitch, P1, for detachably suspending supports (13 and 14) thereon, the second endless guide member (11) being provided with a second plurality of points of suspension (notches) which are spaced equidistant at a second pitch, P2, for detachably suspending supports (13 and 14) thereon;

at least two supports (13 and 14), each of the supports being detachably suspended on one of the plurality of points of suspension of the endless guide members and arranged one above another. As best understood, the supports located on the guide member 10 are arranged above the supports located on the guide member 11, which meets the claim limitations.

Also, there is drive means (column 3, lines 65-75) for driving the first and second endless guide member (10 and 11) such that a support (13 and 14) suspended on a point of suspension of the first guide member (10) passes to a point of suspension of the second guide member (11) or vice versa.

4. Claims 1-2 and 5-6, as best understood, are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 6,231,045 (Yamada et al.).

Regarding claim 1, Figs. 1-6 and 12-13 show a sheet deposition system for depositing sheets on at least one of a plurality of supports (1 and 2) which comprises:

deposition means (including 8) for selectively depositing sheets in 1 sheet deposition location (near 8),

2 guide members (i.e., Fig. 3 shows a first guide member including belts 37, pulleys 36 and shafts 33a and 33b, and a second guide member including belts 35,

pulleys 34 and shafts 41a and 41b) for guiding the supports (1 and 2), each of the guide members being provided with a plurality of points of suspension (e.g., first guide member has suspension point on each belt 37, while second guide member has suspension point on each belt 35) for detachably suspending the supports (1 and 2) thereon, the guide members being vertically arranged (Fig. 3) such that each of the sheet deposition locations (near 8) has an associated lower guide member positioned essentially below the sheet deposition location and an associated higher guide member positioned essentially above the sheet deposition location. Fig. 3 shows that the second guide member with belts 35, pulleys 34 and shafts 41a and 41b is a lower guide member positioned essentially below the sheet deposition location (near 8), while the first guide member with belts 37, pulleys 36 and shafts 33a and 33b is a higher guide member positioned essentially above the sheet deposition location (near 8).

Also, there are multiple supports (1 and 2), each of the supports being detachably suspended on one of the plurality of points of suspension of the guide members and arranged one above the other. As best understood, support 1 can be arranged above support 2 to meet the limitations of claim 1.

Moreover, drive means (e.g., Figs. 4 and 6) for driving the guide members so as to place one of the supports in a sheet deposition location or to alter the distance between supports. See, e.g., Figs. 12 and 13 for positioning of supports 1 and 2.

Regarding claim 2, Fig. 3 shows that the guide members are endless.

Regarding 5, Fig. 3 shows that each of the guide members is composed of one or more belts, or one or more chains, or one or more wires.

Regarding claim 6, Fig. 3 shows that the associated lower guide member and the associated higher guide member is partially overlapping.

Claim Rejections - 35 USC § 103

5. Claims 8 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 3,721,435 (Zanders) as applied to claims 1 and 9 above, and further in view of U.S. Patent No. 5,046,641 (Gray). The Zanders patent discloses all of the elements of claims 8 and 10, except for a tooth clutch, as claimed. In fact, column 3, lines 65-75 of the Zanders patent disclose that a clutch and gears can be used to provide power to the guide members 9, 10 and 11 (i.e., belts 9, 10 and 11). Zanders also indicates that the mechanism that drives the belts (i.e., guide members 9, 10 and 11) can be provided in various ways evident to one skilled in the art.


The Gray patent discloses that it is well known to provide an apparatus with belts operated via gears and a tooth clutch (including 62 and 63). See, e.g., Fig. 3 of Gray. Gray explains that such tooth clutch allows fewer gears to be used. See e.g., column 9, lines 24-27. It would have been obvious to one of ordinary skill in the art at the time the invention was made, to provide the apparatus of the Zanders patent with a tooth clutch in order to limit the number of gears needed to operate Zanders apparatus, as taught by Gray.

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas A. Morrison whose telephone number is (571) 272-7221. The examiner can normally be reached on M-F, 8am - 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Donald Walsh can be reached on (571) 272-6944. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


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